



DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Food and Drug Administration
Atlanta District Office m4982n
HPI-35

60 8th Street, N.E.
Atlanta, Georgia 30309

December 4, 2000

VIA FEDERAL EXPRESS

Harold Shinn
President
Atlanta Oriental Food Wholesale
560 Buford Highway
Atlanta, GA 30362

WARNING LETTER
00-ATL-13

Dear Mr. Shinn:

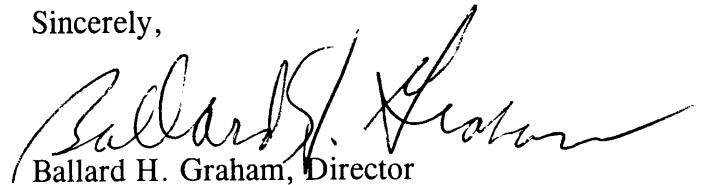
On November 3, 2000, we attempted to sample a shipment of Frozen Dumpling (Entry J50-0052905-5) and a sample of Instant Ramen Noodles and Snacks (Entry J50-0056102-5) in accordance with our Notices of Sampling dated March 16, 2000 and October 6, 2000, and found that the shipments were not available for sampling. These products had been offered for import into the United States by your firm on March 14, 2000 under entry J50-0052905-5 and September 11, 2000 under entry J50-0056102-5. This is a violation of 21 CFR 1.90 which requests the importer to hold an entry intact pending receipt of the results of examination of the sample. We are hereby requesting U.S. Customs to order redelivery of these shipments.

Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. It is your responsibility, as the importer, to ensure that imported products meet all requirements of the Federal Food, Drug, and Cosmetic Act and the regulations promulgated thereunder.

Within 15 working days of receipt of this letter, notify this office in writing of the specific steps you have taken to correct the violation, including an explanation of each step being taken to prevent the recurrence of the violation. In addition, you should inform Customs and FDA if and when redelivery is accomplished.

Your response should be sent to Sheryl R. Cruse, Compliance Officer, at the above address noted in the letterhead.

Sincerely,

A handwritten signature in black ink, appearing to read "Ballard H. Graham", written in a cursive style.

Ballard H. Graham, Director
Atlanta District